


AN ORDINANCE AMENDING CHAPTER 53, PART 2, SECTION 53.32(a)(32), SEMINOLE COUNTY CODE, PROVIDING A SCHEDULE OF VIOLATIONS AND PENALTIES; AMENDING CHAPTER 270, PART 4, ARTICLE III, SECTION 270.226, SEMINOLE COUNTY CODE, PROVIDING FOR PROMULGATION AND ENFORCEMENT; AMENDING SECTION 270.227, PERTAINING TO THE USE OF RECLAIMED WATER; CREATING SECTION 270.230, PROVIDING FOR ENFORCEMENT; AMENDING CHAPTER 270, PART 5, SECTION 270.256, SEMINOLE COUNTY CODE, PROVIDING FOR EXCEPTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

CERTIFIED COPY

MARYANNE MORSE
CLERK OF CIRCUIT COURT

SEMINOLE COUNTY, FLORIDA

BY  DEPUTY CLERK

WHEREAS, the Board of County Commissioners (Board) has evaluated the County's reclaimed water program, and has concluded that certain provisions of the Seminole County Code should be amended to address the Board's concerns pertaining to modification of the program to further restrict utilization of reclaimed water for irrigation purposes and to  protect the potable water supply in the County; and

WHEREAS, compliance with St. Johns River Water Management District permits and policies coupled with demands of a growing population have increased the need for additional water conservation measures; and

WHEREAS, the County has determined that the highest priority for use of potable water is for human consumption; and

WHEREAS, it is the intent of the County to minimize the use of potable water supplies for nonpotable uses; and

WHEREAS, the County has deemed that the substitution of irrigation-quality wastewater effluent for nonpotable uses provides a primary water conservation method that serves to

protect the integrity of the aquifer to maintain the groundwater supply for future generations; and

WHEREAS, the County recognizes that reclaimed water is a valuable resource; and

WHEREAS, this Ordinance sets forth County management and enforcement responsibilities that facilitate the use of reclaimed water to replace the use of potable water for nonpotable uses; and

WHEREAS, the Board of County Commissioners of Seminole County hereby finds that this Ordinance is consistent with the objectives, goals and policies of the Seminole County Comprehensive Plan; and

WHEREAS, the Seminole County Home Rule Charter requires that an Economic Impact Statement be prepared to address the potential fiscal impacts and economic costs of this Ordinance upon the public and taxpayers of Seminole County and such Economic Impact Statement has been prepared and has been made available for public review and copying prior to the enactment of this Ordinance in accordance with the provisions of the Seminole County Home Rule Charter,

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:

Section 1. Chapter 53, Part 2, Seminole County Code, Sec. 53.32(a)(32), is hereby deleted as follows:


~~(32) S.C.C 270.253 Violation of Board Ordered water restrictions~~

Section 2. Chapter 270, Part 4, Article III, Seminole County Code, Sec. 270.226, is hereby amended to read as follows:

Sec. 270.226. ~~Promulgation and enforcement.~~

(a) *Connection guidelines for existing utility customers.*

(1) Upon notification from the Environmental Services Department Director (Director) that reclaimed water is available, the customer shall disconnect the irrigation system from the potable water system within six months of the notification. For the purposes of this Section, the term available means that a reclaimed water line is located within 150 feet from the customer's property boundary.

(2) Any existing  residential customer with landscaping that meets all standards for water-efficient landscaping set forth in Section 30.1229 shall not be required to disconnect from the potable water system as long as such property continues to meet the water-efficient landscaping standards and to irrigate the landscaping in a water conserving manner. The Director, or his/her designee, shall determine compliance with the water-efficient landscaping standards for purposes of this exemption.

(b) *Irrigation meters.*

(1) Reclaimed water meters shall be installed and potable water irrigation meters removed during connection to the reclaimed water service line. No irrigation with potable water

from the County's potable water system shall occur if reclaimed water is available.

(2) In the event that the County is unable to deliver an adequate supply of reclaimed water, and has provided written notification to its customers, irrigation using potable water from a hose bib shall be allowed.

(3) The customer's reclaimed water irrigation system shall not be cross-connected to the potable water system.

(c) Petition for variance.

(1) Any customer requesting a variance from the provisions of this Section may file a petition for variance in the form of a letter to the Director.

(2) No variance shall be approved by the Director unless the petitioner affirmatively demonstrates that alternative measures will be implemented which achieve the same level of potable water demand reduction as the provision for which a variance is requested. Potable water demand reduction must be demonstrated within three months of the date of variance approval. Extensions may be granted by the Director upon adequate justification.

(3) Failure to achieve potable water demand reduction within three (3) months of variance approval shall result in discontinuation of irrigation water service.


Section 3. Chapter 270, Part 4, Article III, Seminole County Code, Sec. 270.227, is hereby amended to read as follows:

Sec. 270.227. Use Of Reclaimed Water

(a) Supply

The County shall deliver to the best of its ability, an adequate supply of reclaimed water at all times; provided, however, that no guarantees can be provided to deliver specific quantities at specific times. The County reserves the right to temporarily discontinue service to the Reclaimed Water System, or a portion thereof, as deemed necessary by the Director.

(b) Conservation of Reclaimed Water

(1) The County recognizes that reclaimed water is a valuable resource. Reclaimed water shall be used only to the extent necessary for irrigation of lawns, landscaping, individual plants, and other  similar uses (collectively referred to as "landscape irrigation").

(A) Landscape irrigation at even numbered addresses or no address must only occur on Thursday and Sunday and must not occur between 10:00 a.m. and 4:00 p.m.


(B) Landscape irrigation at odd numbered addresses must only occur on Wednesday and Saturday and must not occur between 10:00 a.m. and 4:00 p.m.

(C) Landscape irrigation at commercial addresses must only occur on Tuesday and Friday and must not occur between 10:00 a.m. and 4:00 p.m.

(2) A functioning rain sensor device that interrupts the irrigation cycle when activated is required on all irrigation systems utilizing reclaimed water.

(c) Restrictions on Use of Reclaimed Water

The following uses or conditions shall not be permitted for reclaimed water:

- (1) entry into buildings or dwelling units;
- (2) filling swimming pools, hot tubs, spas, or wading pools, or for other body contact recreation including, but not limited to, playing in sprinklers;
- (3) pressurizing fire hydrants or sprinkler systems for fire protection;
- (4) irrigating crops  intended for human consumption;
- (5) washing pets, equipment, structures, driveways, or vehicles by residential customers;
- (6) ponding or runoff;
- (7) release or discharge to open water bodies including, but not limited to, lakes, rivers, canals, and ditches; or
- (8) application to properties containing subsurface drainage tiles or plates.


(d) Wells

- (1) Customers with existing irrigation wells who have not connected to the County's Reclaimed Water System may
~~continue to use wells for irrigation purposes after reclaimed~~

~~water is available; provided, however, that the customer shall~~
ensure that all irrigation wells are physically disconnected
from the ~~potable and Reclaimed Water System~~ water system. This
Section shall not be construed to affect the use of water from
irrigation wells.

(2) The County shall not provide reclaimed water service where wells are used as a source of potable water and where buffer zones, as required by the Florida Department of Environmental Protection, cannot be maintained.

(3) Wells intended for use as potable water shall not be installed within seventy-five feet (75') of existing areas where reclaimed water is available.

Section 4. Chapter 270,  Part 4, Article III, Seminole County Code, Sec. 270.230, is hereby created to read as follows:

Section 270.230. Enforcement.

(a) The Department Director and all employees of the Department shall have the duty and authority to enforce the provisions of this Part.

(b) A violation of this Part shall be classified as a Class I violation as provided in Section 53.31(a).

Section 5. Chapter 270, Part 4, Article III, Seminole County Code is hereby amended to read as follows:

Secs. 270.230 270.231-270.250 Reserved.


Section 6. Chapter 270, Part 5, Seminole County Code, Sec. 270.256, is hereby amended to read as follows:

Sec. 270.256. Exceptions.

Landscape irrigation shall be subject to the following irrigation schedule exceptions:

(a) Irrigation using a micro-spray, micro-jet, drip, or bubbler irrigation system is allowed at any time.

(b) Irrigation of new landscape is allowed at any time of day on any day for the initial 30 days and every other day for the next 30 days for a total of one 60-day period, provided that the irrigation is limited to the minimum amount necessary for such landscape establishment.

(c) Watering in of chemicals, including insecticides, pesticides, fertilizers, fungicides and herbicides when required by law, the manufacturer,  or best management practices is allowed at any time of day on any day within 24 hours of application. Watering in of chemicals shall not exceed 1/4 inch of water per application except as otherwise required by law, manufacturer, or best management practices.


(d) Irrigation systems may be operated at any time of day on any day for maintenance and repair purposes not to exceed twenty (20) minutes per hour per zone.

(e) Irrigation using a hand-held hose equipped with an automatic shut-off nozzle is allowed at any time of day on any day.

(f) Discharge of water from a water-to-air air conditioning unit or other water-dependent cooling system is not limited.

(g) The use of water from a reclaimed water system is ~~allowed anytime not regulated by this Part¹. For purposes of this subsection, a reclaimed water system includes systems in which the primary source is reclaimed water, which may or may not be supplemented from another source during peak demand periods.~~

(h) The use of recycled water from wet detention treatment ponds for irrigation is allowed anytime provided the ponds are not augmented from any ground or off-site surface water, or public supply sources.

Section 7. Codification.  It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall become and be made a part of the Seminole County Code. It is the further intention of the Board of County Commissioners that the word "Ordinance" may be changed to "Section," "Article," or other appropriate word or phase and that the sections of this Ordinance may be renumbered or relettered to accomplish such intention; provided, however, that Sections 7, 8 and 9 shall not be codified.

Section 8. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance is held

¹ County customers are governed by the provisions set forth in Section 270.227.

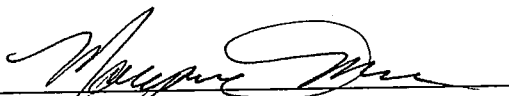
invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

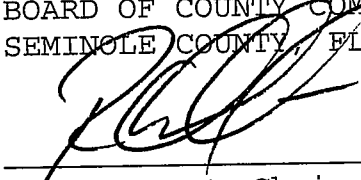
Section 9. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the Department of State by the Clerk of the Board of County Commissioners.

ENACTED this 27th day of July, 2010.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA


MARYANNE MORSE
Clerk to the Board of
County Commissioners of
Seminole County, Florida


BOB DALLARI, Chairman



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